Spy Suspect Shuns Assigned Counsel; Says 'He's German'

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New York, Aug. 3 (INS).—One of Staten Island's two alleged spies doesn't approve of the counsel Federal Court assigned him "because he's German."

The lawyer selected to defend Edwin Harry de Spretter, 52-year-old professor, is former City Magistrate Charles A. Oberwager, one-time honorary president of the United German Societies.

Ernest L. Lehmitz, 37, was indicted with De Spretter on charges of conspiring to send military information to Germany

Decision on De Spretter's request that Oberwager be supplanted was reserved until tomorrow, but Federal Judge Abruzzo commented:

"In this country we do not take a man's ancestry into account, particularly when he is a good American citizen. I can assure Judge Oberwager is."

De Spretter and Lehmitz pleaded not guilty today and were held in default of $25,000 bail each.